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Chapter 11 Trustee for Desert Oasis Apartments, LLC

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

DESERT OASIS APARTMENTS, LLC,

Debtor.

Case No.: BK-S-18-12456-GS

Chapter 11

**NOTICE OF HEARING ON CHAPTER
11 TRUSTEE KAVITA GUPTA'S
MOTION TO APPROVE
DISBURSEMENT OF ADDITIONAL
SUMS OWING TO BUYER ED-DEN
UNDER SALE ORDER**

Date: January 11, 2021
Time: 9:30 a.m.
Judge: Hon. Gary Spraker

NOTICE IS HEREBY GIVEN that a hearing will be held via telephonic or Zoom conferencing¹ on January 11, 2021 at 9:30 a.m. before the Honorable Gary Spraker to consider the *Chapter 11 Trustee Kavita Gupta's Motion to Approve Disbursement of Additional Sums Owing to Buyer ED-DEN Under Sale Order* (the "Motion"). The Motion seeks an order

¹ The hearing is scheduled to be held via telephonic or Zoom conferencing only in light of the exigent circumstances created by COVID-19. For additional calendar information please check the Court's calendar, which will be posted 7 days in advance of the scheduled hearing at <https://www.nvb.uscourts.gov/calendars/court-calendars/>. Open the calendar for Judge Spraker and follow the login and sign in instructions provided on the calendar.

1 authorizing the disbursement of \$12,590.00 to ED-DEN Investment Co. LLC (“Buyer”) as
 2 additional sums owing to Buyer under the *Order Granting Chapter 11 Trustee Kavita Gupta’s*
 3 *Motion to Approve Sale of Debtors’ Assets Free and Clear of Liens and Grant Related Relief –*
 4 *Lot 5* [Doc No. 1264 in formerly jointly administered lead Case No. 18-12454] (the “Sale
 5 Order”), for credits related to prepaid rents and deposit from tenants and/or the transitions of the
 6 utility accounts for the real property subject to the Sale Order post-closing.

7 **PLEASE TAKE FURTHER NOTICE** that the Motion is based on the points set
 8 forth in the Motion, this Notice, the declaration of Kavita Gupta in support of the Motion
 9 which attaches as Exhibit A the Final Accounting Agreement and Release between the Buyer
 10 and the Estate, and the pleadings and other documents on file in this and related bankruptcy
 11 cases. Copies of the Motion and the supporting declaration are on file with the clerk of the
 12 United States Bankruptcy Court for the District of Nevada, Las Vegas. Copies may also be
 13 obtained through the Bankruptcy Court’s electronic filing system
 14 (<https://ecf.nvb.uscourts.gov>) or by contacting the law firm of Nuti Hart LLP at (510) 506-
 15 7152 or admin@nutihart.com.

16 **PLEASE TAKE FURTHER NOTICE** that if you do not want the court to grant the
 17 relief sought in the Motion, or if you want the court to consider your views on the Motion, then
 18 you must file an opposition with the court, and serve a copy on the person making the Motion
 19 no later than 14 days preceding the hearing date for the motion. The opposition must state your
 20 position, set forth all relevant facts and legal authority, and be supported by affidavits or
 21 declaration that conform to Local Rule 9014(c).

22
 23 If you object to the relief requested, you *must* file a **WRITTEN** response to this
 24 pleading with the court. You *must* also serve your written response on the person
 25 who sent you this notice.

26 If you do not file a written response with the court, or if you do not serve your
 27 written response on the person who sent you this notice, then:

- 28 • The court may *refuse to allow you to speak* at any scheduled hearing; and,
- The court may *rule against you* without formally calling the matter at the hearing.

1 **PLEASE TAKE FURTHER NOTICE** that this hearing may be continued from time to
2 time without further notice except for the announcement of any adjourned dates and times at the
3 above-noticed hearing or any adjournment thereof, and the court may approve modifications at
4 the hearing or any continued hearing.

5 Dated: November 25, 2020

NUTI HART LLP

6 By: /s/ Kimberly S. Fineman

7 Kimberly S. Fineman
8 Attorneys for Kavita Gupta, Chapter 11
9 Trustee for Desert Oasis Apartments, LLC
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